

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TITA PERALTA,
Plaintiff,

v.

CLASSIC RESIDENCE MANAGEMENT
LIMITED PARTNERSHIP,
Defendant.

Case No. 25-cv-03659-NC

**ORDER TO SHOW CAUSE AS
TO DEFENDANT’S
CITIZENSHIP AND THE
AMOUNT IN CONTROVERSY**

Re: Dkt. No. 1

On April 25, 2025, Defendant Classic Residence Management Limited Partnership filed a notice of removal for an action filed by Plaintiff Tita Peralta in state court. ECF 1.

A defendant may remove a case from state court if the federal court would have had original subject matter jurisdiction over the matter, including based on diversity. 28 U.S.C. §§ 1441(a), (b). A notice of removal must contain a short and plain statement of the grounds for removal and basis for federal jurisdiction. 28 U.S.C. § 1446(a). Diversity jurisdiction requires that parties are citizens of different states and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332(a). For purposes of diversity jurisdiction, “a corporation is a citizen only of (1) the state where its principal place of business is located, and (2) the state in which it is incorporated.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899; 28 U.S.C. § 1332(c)(1). In contrast, “a partnership is a citizen of all of the states of which its partners are citizens.” *Johnson*, 437 F.3d at 899.

1 Defendant asserts complete diversity exists between the parties. ECF 1 at 3.
2 However, Defendant, a limited partnership, provides only its state of incorporation and
3 principal place of business, without any information as to the citizenship of its partners.
4 ECF 1 at 3. As such, the Court cannot determine whether complete diversity exists.
5 Defendant is therefore ordered to show cause in writing establishing the citizenship of all
6 its partners.

7 In addition, Defendant asserts the amount in controversy is met, in part, based on
8 Plaintiff's demand for lost back and future wages. ECF 1 at 4–5. Defendant proffers that
9 because it employed Plaintiff until August 2023 and her annual salary was over \$120,000,
10 Plaintiff at a minimum “seeks in excess of her annual compensation at CRM for lost back
11 and future wages.” ECF 1 at 5. However, the Court notes that Plaintiff's complaint
12 alleges she was terminated on August 25, 2024, not in August 2023. ECF 1, Ex. A ¶ 1.
13 Defendant is therefore ordered to show cause as to how the amount in controversy is met
14 where Plaintiff is not seeking a full year's salary of back pay.

15 Defendant must file a response in writing addressing these concerns by May 7,
16 2025. Plaintiff may file a reply should she so choose by May 14, 2025.

17 **IT IS SO ORDERED.**

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19 Dated: April 30, 2025

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21 NATHANAEL M. COUSINS
22 United States Magistrate Judge
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